2008-06353/

MHR Connections

Published by the Manitoba Human Rights Commission

Volume 6 Number 7-8 Summer 2006

THE MANITOBA HUMAN RIGHTS COMMISSION

LA COMMISSION DES DROITS DE LA PERSONNE DU MANITOBA

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Equality of Opportunity and Freedom from Discrimination

Agreement reached on treaty protecting rights of persons with disabilities

After five years of negotiations, countries meeting at United Nations Headquarters in New York have agreed on a new treaty to protect the rights of persons with disabilities.

Secretary-General Kofi Annan hailed the agreement urging all Member States to ratify the convention quickly.

According to Manitoba Human Rights Commissioner Yvonne Peters, twenty-five years ago, in Singapore, at the first World Congress of Disabled Peoples International, people with disabilities vowed to work together to ensure that their human rights were legally recognized and protected. Ms Peters called the successful negotiations "an important step in our goal to attain full equality," adding that "this represents a significant victory for people with disabilities all over the world."

The successful completion of the treaty, after a day of intense negotiations and compromises that capped years of effort, was met with applause by well over a hundred government delegations and hundreds of representatives of disability organizations who participated in the process of crafting the 40-article pact.

Proponents of the convention maintained that the treaty was necessary because persons with disabilities represented one of the most marginalized groups and that their rights had been routinely ignored or denied throughout much of the world.

While the convention does not create new rights, it specifically prohibits discrimination against persons with disabilities in all areas of life, including civil rights, access to justice and the right to education, health services and access to transportation.

Among the final details to be worked out was a proposal by Sudan to include the phrase "foreign occupation," which some thought was a reference to Palestinians living under Israeli occupation.

The United States and Israel, along with Australia, Japan and Canada, opposed the wording. Delegates voted 102-5, with eight abstentions, to keep the provision in the draft. The convention will be formally sent to the General Assembly for adoption at its next session, which begins in September. It will then be open for signing and ratification by all countries.

It is estimated that 10 per cent of the world's population, or about 650 million people, have disabilities.

The Rights Connection
Janet Baldwin - Chairperson
Global to Local

When the United Nations formed in 1945, its primary purpose was to maintain peace and promote human rights. A number of international documents protecting rights and freedoms have been adopted by its members since its inception. They protect rights we regard as essential to preserving our dignity and integrity, such as the right to security of the person. Civil and political rights include the right to equality, while social and economic rights include the right to be free from hunger.

While international human rights are concerned with the rights of individuals, they are mainly recognized within the context of public international law, where states are the acting parties, rather than employers, landlords or service providers, as under our Human Rights Code.

The international community, including Canada, has a responsibility to act in a way that promotes the resolution of conflicts and the protection of human rights. Determining when and how the international community should intercede in conflicts between states to try to achieve and maintain ceasefires and to help build conditions leading to lasting peace are only some of the difficult issues the international community must address. Another is when states should take action against another state in order to protect people at risk within that country. The United Nations Security Council continues to struggle with how best to protect civilians in the Darfur region of Sudan, given that the Sudanese government has said that it will not allow a UN force to deploy in Darfur. Traditionally, Canada has played the role of peacemaker in the international response to these conflicts.

Building peace on the international level is a slow and difficult process. We are all particularly challenged at this time not to let conflicts in the Middle East and elsewhere lead to division and discrimination here. Promoting peace and respect for human rights in our local communities is work in which we can all participate.

The Rainbow Harmony Project and Camp Arnes reach a settlement

The Manitoba Human Rights Commission is pleased that that a settlement has been reached between The Rainbow Harmony Project and Camp Arnes. The settlement reflects a resolution of a complaint filed by the Rainbow Harmony Project, a community choir group that is made up largely of members of the lesbian, gay, bisexual and transgendered community and an individual choir member, Joe Stephanson. The complaint alleged that the group was denied access to Camp Arnes, a Christian summer camp that also rents out its facilities throughout the year to the general public.

Camp Arnes denied access believing that the goals of The Rainbow Harmony Project were contrary to the guidelines set out in their Code of Conduct and Statement of Faith.

The parties have requested that The Manitoba Human Rights Commission release the following statement.

The Rainbow Harmony Project and Camp Arnes are pleased to announce that, as a result of recent and helpful dialogue between the parties, they have been able to resolve the differences that had given rise to a human rights complaint.

They wish to make the following statements relating to this dialogue and the resulting settlement. The Rainbow Harmony Project recognizes that at the heart of the dispute was uncertainty by all concerned about the nature of Camp Arnes' operations or the restrictions to be applied to potential campers and other guests, or both. Rainbow Harmony Project accepts that Camp Arnes is, and is intended to be, a religious organization. Although it rents out its facilities to various individuals or groups that are not associated with its religion, Camp Arnes has always intended this service to be part of its broader religious mission and outreach and not primarily a commercial activity. As such it is entitled to apply reasonable religious restrictions to such outreach activities.

With the assistance of the Manitoba Human Rights Commission, Camp Arnes has adopted adjustments to its policies and practices that address the Rainbow Harmony Project's concerns and reflect Camp Arnes' respect for the inherent worth of all individuals. The Rainbow Harmony Project is pleased with the changes made by Camp Arnes and has decided not to proceed further with its complaint. Rainbow Harmony Project is also very appreciative of the recent invitation by Camp Arnes to perform at the camp. However, due to a solidly booked performance schedule, it cannot likely do so in the foreseeable future. It has also extended an invitation to Camp Arnes representatives to attend its concerts on May 6 and 7 at the Winnipeg Art Gallery.

Camp Arnes recognizes that its previous materials and practices may have given rise to uncertainty about the nature of its operations and the restrictions to be applied to potential campers and other guests. It appreciated the opportunity to work with the Manitoba Human Rights Commission and the Rainbow Harmony Project to refine its policies and practices for vetting prospective campers and other guests, which, generally speaking, will focus more directly on the activities that are planned or practiced on site as opposed to assumptions flowing from the identity of a particular individual or group. This approach accords with its fundamental belief in the inherent worth of every individual. Camp Arnes will be distributing revised policies and implementing improved practices as a result of this dialogue and disclosing the camp's religious mandate and related policies to potential guests and campers at the front end of the application process. Camp Arnes will further have a process for dealing proactively with uncertainties or confusion that may arise in the future. The Board of Camp Arnes has invited Rainbow Harmony Project to perform at the camp and extends its best wishes to the choir as it pursues its goal of musical excellence.

The Manitoba Human Rights Commission is offering a series of lunchtime education sessions called "Bites and Rights" during the fall and winter. More information on The Commission's workshops can be found on its website at www.gov.mb.ca/hrc or by calling 945-3007.

Canadian Human Rights Commission has new full time Commissioner from Manitoba

Manitoba's David Langtry is still excited about his appointment to the Canadian Human Rights Commission. "It's a perfect marriage of my experiences both professional and personal," he said, adding "and I don't mind the traveling."

Since his appointment as the only full time Commissioner last June, Mr. Langtry has been commuting to Ottawa, spending Monday to Thursday in the capital city and returning to his hometown of Winnipeg for the weekends.

It has been a number of years since someone from Manitoba has been appointed to the Canadian Commission. Yude Henteleff, who was a Commissioner from 1980 – 1986 and appointed again in 1998 and served until 2001, was the last representative from the Prairie Region.

Mr. Langtry is a senior executive and lawyer with more than 23 years experience in both private practice and public sector administration. He says his interest in human rights began in the nineteen eighties when he was with the Folk Arts Council. He was later involved at the board level and eventually became president. He also was instrumental in for the implementation of Manitoba's multicultural policy and became the first Executive Director of the Multiculturalism Secretariat.

His priority as Acting Chief Commissioner is repealing Section 67 of the Canadian Human Rights Act, which restricts the ability of First Nations people living on reserves to file a complaint against band councils or the federal government. He also has a keen interest in another Commission initiative, continuing the fight against hate on the internet.